

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MICHAEL R. SPENGLER, } Case No. CV 17-2078-DOC (SP)
Plaintiff, }
v. } **ORDER ACCEPTING FINDINGS AND
RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE**
RICHARD MACHADO, et al., }
Defendants. }

18 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Third Amended
19 Complaint, records on file, and the Report and Recommendation of the United States
20 Magistrate Judge. Plaintiff has not filed any written Objections to the Report within
21 the time permitted. The Court accepts the findings and recommendation of the
22 Magistrate Judge.

23 IT IS THEREFORE ORDERED that: (1) plaintiff's request for leave to file a
24 Fourth Amended Complaint (docket no. 133) is denied; (2) plaintiff's motions for
25 preliminary injunctions (docket nos. 134, 137) are denied; (3) defendant Machado's
26 Motion to Dismiss (docket no. 104) is denied without prejudice; and (4) defendant
27 Madrigal's Motion to Dismiss (docket no. 114) is denied without prejudice in large

1 part, and granted only with respect to her argument that this action should be stayed
2 under the *Younger* Abstention Doctrine. Accordingly, this case is hereby stayed
3 until the related state criminal case is no longer pending, and the Court Clerk is
4 directed to administratively close this case. Plaintiff is instructed that, if he wishes
5 to continue with this case after disposition of the criminal charges against him, he
6 must file a request that the stay be lifted and the case be re-opened within sixty (60)
7 days of the final disposition of the criminal charges (including all appeals).

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10 DATED: January 17, 2020

David O. Carter
11 HONORABLE DAVID O. CARTER
12 UNITED STATES DISTRICT JUDGE

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